



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/797,481	03/10/2004	John G. Stark	3223.01US02	3292
62274	7590	09/17/2007	EXAMINER	
DARDI & ASSOCIATES, PLLC			REIMERS, ANNETTE R	
220 S. 6TH ST.			ART UNIT	PAPER NUMBER
SUITE 2000, U.S. BANK PLAZA			3733	
MINNEAPOLIS, MN 55402			MAIL DATE	DELIVERY MODE
			09/17/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Interview Summary	Application No.	Applicant(s)	
	10/797,481	STARK, JOHN G.	
	Examiner Michael B. Priddy	Art Unit 3733	

All participants (applicant, applicant's representative, PTO personnel):

(1) Michael B. Priddy. (3) _____.

(2) Elizabeth Shipsides. (4) _____.

Date of Interview: 11 September 2007.

Type: a) Telephonic b) Video Conference
c) Personal [copy given to: 1) applicant 2) applicant's representative]

Exhibit shown or demonstration conducted: d) Yes e) No.

If Yes, brief description: _____.

Claim(s) discussed: 21.

Identification of prior art discussed: US 5,334,205 to Cain.

Agreement with respect to the claims f) was reached. g) was not reached. h) N/A.

Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: See Continuation Sheet.

(A fuller description, if necessary, and a copy of the amendments which the examiner agreed would render the claims allowable, if available, must be attached. Also, where no copy of the amendments that would render the claims allowable is available, a summary thereof must be attached.)

THE FORMAL WRITTEN REPLY TO THE LAST OFFICE ACTION MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP Section 713.04). If a reply to the last Office action has already been filed, APPLICANT IS GIVEN A NON-EXTENDABLE PERIOD OF THE LONGER OF ONE MONTH OR THIRTY DAYS FROM THIS INTERVIEW DATE, OR THE MAILING DATE OF THIS INTERVIEW SUMMARY FORM, WHICHEVER IS LATER, TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW. See Summary of Record of Interview requirements on reverse side or on attached sheet.


EDUARDO C. ROBERT
SUPERVISORY PATENT EXAMINER


Michael B. Priddy
Examiner's signature, if required

Examiner Note: You must sign this form unless it is an Attachment to a signed Office action.

Continuation of Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: Ms. Shipsides argued that the Cain reference does not teach "inserting an immobilization/fusion element into the opening of the sacroiliac joint between the ilium and the sacrum" as set forth in claim 21 but, rather, discloses inserting an immobilization/fusion element across the SI joint through the bones of the joint. The Examiner maintains that, as depicted in Fig. 5 of Cain, while the immobilization/fusion element of Cain does extend into both the sacrum and the ilium, a small portion thereof also extends into the opening of the sacroiliac joint between the ilium and the sacrum. Therefore, Cain teaches "inserting an immobilization/fusion element into the opening of the sacroiliac joint between the ilium and the sacrum."